IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.452/2007.

Mr. Sayeed Ahmed Khan
Ex-Light Vehicle Driver,
R/o. Flat No.401, Zarina Towers,
St. Inez, Panaji, Goa. .. Petitioner.

Versus

1. State of Goa
Through its Chief Secretary,
Secretariat, Porvori,-Goa.

2. The Director of Agriculture,
Government of Goa,
Panaji-Goa.

3. The Director of Accounts,
Government of Goa,
Panaji- Goa. .. Respondents.

Mr. P. A. Kamat,Advocate for the petitioner.

Mr.S.S.Kantak,Advocate General with Ms. R. Chodankar, Addl.Govt.Advocate for the respondents.

Coram :- F. I. REBELLO &
N.A.BRITTO,JJ.
Date : - 20th November,2007.

ORAL JUDGMENT :

Rule. Heard forthwith. The petitioner was superannuated on completing 58 years service. There was challenge to the notification reducing the age of retirement from 60 to 58 years. This Court passed an order directing that in all such cases of supperannuation the date of superannuation be treated as on 31st July 2001. Accordingly, an order came to be passed on March 10, 2005 revising the petitioner's

pensionary benefits. It appears that thereafter, certain demands for recovery have been made from the petitioner. In fact, he has also not been paid his pension.

This petition can be disposed off by issuing following directions.

1) The respondents to pay-release the pension to the petitioner in terms of the order dated 10.3.2005 within one month from today. In so far as arrears are concerned, the same be paid within 3 months from today. No refund will be sought from the petitioner in so far as pension dues are concerned. If the payment is not made in time as directed, the petitioner to be paid interest @ Rs.8 % p.a. on arrears, from the date they become due till payment.

2) Rule is made absolute accordingly with no order as to costs. Writ petition disposed of.

F. I. REBELLO,J.

N. A.BRITTO,J.

SMA